

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ENDO PHARMACEUTICALS INC. and  
GRÜNENTHAL GMBH,

Plaintiffs,

C.A. No. 12-cv-08115-TPG-GWG

v.

AMNEAL PHARMACEUTICALS, LLC and  
AMNEAL PHARMACEUTICALS OF NEW  
YORK, LLC,

Defendants.

ENDO PHARMACEUTICALS INC. and  
GRÜNENTHAL GMBH,

Plaintiffs,

C.A. No. 12-cv-08060-TPG-GWG

v.

TEVA PHARMACEUTICALS USA, INC.,  
and BARR LABORATORIES, INC.,

Defendants.

ENDO PHARMACEUTICALS INC. and  
GRÜNENTHAL GMBH,

Plaintiffs,

C.A. No. 12-cv-08317-TPG-GWG

v.

IMPAX LABORATORIES, INC. and  
THORX LABORATORIES, INC.,

Defendants.

ENDO PHARMACEUTICALS INC.,

Plaintiff,

v.

C.A. No. 12-cv-08985-TPG-GWG

ACTAVIS INC. and ACTAVIS SOUTH  
ATLANTIC LLC,

Defendants.

ENDO PHARMACEUTICALS INC. and GRÜNENTHAL GMBH,  v.  IMPAX LABORATORIES, INC.,  <u>Defendant.</u>	Plaintiffs,  C.A. No. 13-cv-00435-TPG-GWG
ENDO PHARMACEUTICALS INC. and GRÜNENTHAL GMBH,  v.  ACTAVIS INC., ACTAVIS SOUTH ATLANTIC LLC, and WATSON PHARMACEUTICALS, INC.,  <u>Defendants.</u>	Plaintiffs,  C.A. No. 13-cv-00436-TPG-GWG
ENDO PHARMACEUTICALS INC.,  v.  ROXANE LABORATORIES, INC.,  <u>Defendant.</u>	Plaintiff,  C.A. No. 13-cv-03288-TPG
ENDO PHARMACEUTICALS INC.,  v.  RANBAXY LABORATORIES LTD., RANBAXY INC., AND RANBAXY PHARMACEUTICALS INC.,  <u>Defendants.</u>	Plaintiff,  C.A. No. 13-cv-04343-TPG  C.A. No. 13-cv-08597-TPG

**SECOND STIPULATION AND ORDER  
REGARDING U.S. PATENT NO. 8,309,122 AND U.S. PATENT NO. 8,329,216**

Whereupon plaintiff Endo Pharmaceuticals Inc. (“Endo”) and defendants Actavis Inc., Actavis South Atlantic LLC, and Watson Pharmaceuticals, Inc. (collectively, “Actavis”); Amneal Pharmaceuticals, LLC and Amneal Pharmaceuticals of New York, LLC (collectively, “Amneal”); Impax Laboratories, Inc. (“Impax”); Ranbaxy Laboratories Ltd., Ranbaxy Inc., and Ranbaxy Pharmaceuticals Inc. (collectively, “Ranbaxy”); Roxane Laboratories, Inc. (“Roxane”); Teva Pharmaceuticals USA, Inc. and Barr Laboratories, Inc. (collectively, “Teva”); and ThoRx Laboratories, Inc. (“ThoRx”) (collectively “Defendants”) wish to narrow the issues for trial, they make the following stipulation:

The parties further stipulate and agree as follows:

1. As used in the asserted claims of U.S. Patent 8,329,216 (“the ‘216 patent”), the term “a release rate profile designed to provide adequate blood plasma levels” over at least 12 hours should be construed to mean “a release rate profile that provides adequate blood plasma levels” over at least 12 hours.
  
2. In light of this agreed-upon construction, Defendants stipulate and agree that each of their ANDA tablets has “a release rate profile designed to provide adequate blood plasma levels” over at least 12 hours. Accordingly, paragraph 3 on page 3 of the “STIPULATION AND ORDER REGARDING U.S. PATENT NO. 8,309,122 AND U.S. PATENT NO. 8,329,216” dated March 27, 2015 is deleted because that issue is no longer disputed by Defendants, and Endo is not required to present proof that the Defendants’ ANDA tablets satisfy that limitation.

Endo and Defendants have entered this second stipulation as part of their continued good faith efforts to narrow the issues for trial. Endo and Defendants agree that they will not use this second stipulation as a basis for any claim, allegation, or assertion that any party has not sufficiently narrowed the issues of infringement and validity or not acted in good faith throughout that process.

Stipulated and agreed:

DATED: April 8, 2015



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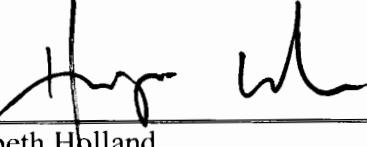
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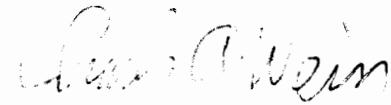
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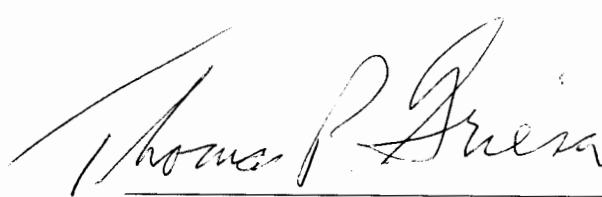
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**SO ORDERED:**

This 7th day of April, 2015



**HONORABLE THOMAS P. GRIESA  
UNITED STATES DISTRICT JUDGE**